

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EASTMAN KODAK COMPANY,

Plaintiff,

v.

ALTEK CORPORATION,

Defendant.

Civil Action No. 12-cv-0246-DLC

DECLARATION OF MORVARID
METANAT IN SUPPORT OF
DEFENDANT ALTEK
CORPORATION'S MOTION FOR
PARTIAL SUMMARY JUDGMENT

I, Morvarid Metanat, declare:

1. I am a member of the State Bar of California and an associate with the law firm of Orrick, Herrington & Sutcliffe LLP, attorneys of record for Defendant Altek Corporation (“Altek”). I make this Declaration in Support of Defendant Altek Corporation’s Motion for Partial Summary Judgment. Except as indicated herein, I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of an email from Lyle Tague dated October 13, 2003, as produced by Plaintiff Eastman Kodak Co. (“Kodak”) with Bates numbers KOD-ATK00002839-41 and designated Confidential under the Protective Order.

3. Attached hereto as Exhibit B is a true and correct copy of an email from Lyle Tague dated October 30, 2003, as produced by Kodak with Bates numbers KOD-ATK00000894-97 and designated Highly Confidential under the Protective Order.

4. Attached hereto as Exhibit C is a true and correct copy of the Patent License Agreement between Kodak and Altek dated July 1, 2004, as produced by Kodak with Bates numbers KOD-ATK00000438-57 and designated Confidential under the Protective Order.

5. Attached hereto as Exhibit D is a true and correct copy of excerpts from Altek’s

Third Set of Supplemental Responses to Kodak's Second Set of Interrogatories (No. 7), dated October 25, 2012 and designated Confidential under the Protective Order.

6. Attached hereto as Exhibit E are true and correct copies of excerpts from the deposition transcript of Kodak's Rule 30(b)(6) witness, Michael Pagano, taken November 15, 2012, as received from the court reporter.

7. Attached hereto as Exhibit F is a true and correct copy of an email from William A. Troner dated November 20, 2003, as produced by Kodak with Bates number KOD-ATK00000345 and designated Confidential under the Protective Order.

8. Attached hereto as Exhibit G is a true and correct copy of an email from P.J. Chang dated November 13, 2003, as produced by Kodak with Bates number KOD-ATK00000318 and designated Confidential under the Protective Order.

9. Attached hereto as Exhibit H is a true and correct copy of an email from P.J. Chang dated December 12, 2003, as produced by Kodak with Bates numbers KOD-ATK00000357-58 and designated Confidential under the Protective Order.

10. Attached hereto as Exhibit I is a true and correct copy of a letter from Michael R. Pagano to Alex Hsia dated August 26, 2011, as produced by Kodak with Bates numbers KOD-ATK00001262-63 and designated Confidential under the Protective Order.

11. Attached hereto as Exhibit J is a true and correct copy of excerpts from Kodak's Objections and Responses to Altek's July 6, 2012 Second Set of Interrogatories (No. 3), dated August 16, 2012.

12. Attached hereto as Exhibit K is a true and correct copy of a draft of the Patent License Agreement between Kodak and Altek dated November 2003, as produced by Kodak with Bates numbers KOD-ATK00002719-36 and designated Confidential under the Protective

Order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 1st day of February, 2013 in Menlo Park, California.

By: /s/ Morvarid Metanat
MORVARID METANAT